



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)**(Implements RCW 34.05.310)**Do **NOT** use for expedited rule making**Agency:** Department of Social and Health Services, Aging and Disability Services

Subject of possible rule making: The department is considering adding new sections and amending the following sections in chapter 388-97 WAC, Nursing Homes: WAC 388-97-0001-Definitions; WAC 388-97-0140-Transfer and discharge appeals for resident in Medicare and Medicaid certified facilities; WAC 388-97-0600- Refusal of certain transfers; WAC 388-97-0760-Hearing procedures to dispute preliminary finding; WAC 388-97-0820-Appeal of administrative law judge's initial order or finding; WAC 388-97-1640-Required notification and reporting; WAC 388-97-4160- Initial nursing home license; WAC 388-97-4180- Nursing home license renewal; WAC 388-97-4280-Change of ownership; WAC 388-97-4460-Remedies; and other related rules as appropriate.

Statutes authorizing the agency to adopt rules on this subject:

Chapters 18.51 and 74.42 RCW

Reasons why rules on this subject may be needed and what they might accomplish: The department is amending these rules to comply with and be consistent with federal regulations and newly passed state laws: Substitute Senate Bill 5042Vulnerable Adults Protection, Engrossed Substitute House Bill 1277-Oversight of Licensed or Certified Long-Term Care Settings for Vulnerable Adults and Second Engrossed Second Substitute House Bill 1738-Changing the Designation of Medicaid State Agency.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

Centers for Medicare and Medicaid Services

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
☐ Pilot rule making
☐ Agency study
☒ Other (describe)

DSHS welcomes the public to take part in developing the rules. At a later date, DSHS will file a proposal with the Office of the Code Reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.) Anyone interested should contact the staff person identified below.

Contact:

Lisa Yanagida, Program Manager
Residential Care Services
P.O. Box 45600
Olympia, WA 98504-5600
Phone: 360-725-2589 Fax: 360-438-7903
E-mail: yanagln2@dshs.wa.gov

Draft section language will be posted on ADSA Professional internet webpage for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the Program Manager listed above via phone, email or fax.

DATE
June 20, 2011**NAME (TYPE OR PRINT)**
Katherine Vasquez**SIGNATURE****TITLE**
DSHS Rules Coordinator**CODE REVISER USE ONLY****OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED****DATE: June 20, 2011
TIME: 1:32 PM****WSR 11-13-093**